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OFFICE OF PETITIONS

In re Patent No. 7,547,435
Pakola et al.
Issue Date: June 16, 2009
Application No. 10/729,475
Filed: December 5, 2003
Attorney Docket No.
113476.122US1
Title: Pharmacological
vitreolysis

:
: DECISION UPON REMAND AND
: RECONSIDERATION OF
: PATENT TERM ADJUSTMENT
: AND NOTICE OF INTENT
: TO ISSUE CERTIFICATE OF
: CORRECTION
:
:

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by one hundred and eighty-three (183) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by one hundred and eighty-three (183) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor, Kery A. Fries at (571) 272-7757.

/Kery A. Fries/

Kery A. Fries

Patent No. 7,547,435 Application No. 10/729,475 Page 2
Senior Legal Advisor Attorney
Office of Patent Legal Administration
Office of Associate Commissioner
For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,547,435 B2

DATED : June 16, 2009

DRAFT

INVENTOR(S) : Pakola et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 0 days

Delete the phrase "by 0 days" and insert – by 183 days--

Day : Friday
 Date: 4/9/2010
 Time: 12:48:16

PALM INTRANET

PTA Calculations for Application: 10/729475			
Application Filing Date:	12/05/2003	PTO Delay (PTO):	443
Issue Date of Patent:	06/16/2009	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	563
Post-Issue Petitions:	0	Total PTA (days):	183
PTO Delay Adjustment:	303		

File Contents History					
Number	Date	Contents Description	PTO	APPL	START
148	04/09/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	10		
147	04/09/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	293		
139.5	05/27/2009	PTA 36 MONTHS	252		
139	06/16/2009	PATENT ISSUE DATE USED IN PTA CALCULATION	7		131
138	05/18/2009	EXPORT TO FINAL DATA CAPTURE			
137	05/15/2009	DISPATCH TO FDC			
136	05/15/2009	EMAIL NOTIFICATION			
135	05/13/2009	MAIL-PETITION DECISION - DISMISSED			
134	05/12/2009	PETITION DECISION - DISMISSED			
133	03/05/2009	FINISHED INITIAL DATA CAPTURE			
132	02/27/2009	APPLICATION IS CONSIDERED READY FOR ISSUE			
131	02/09/2009	ISSUE FEE PAYMENT VERIFIED			
130	02/12/2009	WORKFLOW - DRAWINGS FINISHED	120		
128	02/23/2009	RECEIPT INTO PUBS			
127	02/09/2009	PETITION ENTERED			
126	02/13/2009	WORKFLOW - QUERY REQUEST - FINISH			
125	02/12/2009	TC RETURN TO PUBS			
124	02/09/2009	ISSUE FEE PAYMENT RECEIVED			
123	02/03/2009	WORKFLOW - QUERY REQUEST - BEGIN			
122	12/30/2008	RECEIPT INTO PUBS			
121	12/30/2008	SEQUENCE FORWARDED TO PUBS ON TAPE			
120	12/19/2008	EXPORT TO INITIAL DATA CAPTURE			
115	12/17/2008	MAIL NOTICE OF ALLOWANCE			
114	12/12/2008	ISSUE REVISION COMPLETED			
113	12/12/2008	DOCUMENT VERIFICATION			

112	12/12/2008	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED		
111	12/12/2008	CASE DOCKETED TO EXAMINER IN GAU		
110	12/11/2008	EXAMINER'S AMENDMENT COMMUNICATION		
109	12/11/2008	NOTICE OF ALLOWABILITY		
108	11/07/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED	42	91
107	11/07/2008	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED		
106	11/07/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
105	11/07/2008	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED		
100	06/19/2008	INFORMATION DISCLOSURE STATEMENT CONSIDERED		
99	10/09/2008	INFORMATION DISCLOSURE STATEMENT CONSIDERED		
98	11/07/2008	INFORMATION DISCLOSURE STATEMENT CONSIDERED		
97	10/09/2008	REFERENCE CAPTURE ON IDS		
96	10/09/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
95	11/07/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
94	10/09/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
93	09/26/2008	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED		
92	10/09/2008	DATE FORWARDED TO EXAMINER		
91	09/26/2008	RESPONSE AFTER NON-FINAL ACTION	92	79
90	09/26/2008	REQUEST FOR EXTENSION OF TIME - GRANTED		
88	06/19/2008	REFERENCE CAPTURE ON IDS		
87	06/19/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
86	09/29/2008	EMAIL NOTIFICATION		
85	09/29/2008	MAIL EXAMINER INTERVIEW SUMMARY (PTOL - 413)		
84	09/17/2008	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)		
82	06/19/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		

81	03/28/2008	ELECTRONIC REVIEW			
80	03/27/2008	EMAIL NOTIFICATION			
79	03/26/2008	MAIL NON-FINAL REJECTION			
78	03/17/2008	NON-FINAL REJECTION			
76	02/14/2008	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
75	02/26/2008	DATE FORWARDED TO EXAMINER			
74	02/14/2008	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
73	02/26/2008	DATE FORWARDED TO EXAMINER			
72	02/14/2008	REQUEST FOR CONTINUED EXAMINATION (RCE)		29	66
71	02/26/2008	DISPOSAL FOR A RCE / CPA / R129			
70	02/14/2008	REQUEST FOR EXTENSION OF TIME - GRANTED			
69	02/14/2008	WORKFLOW - REQUEST FOR RCE - BEGIN			
68	10/18/2007	ELECTRONIC REVIEW			
67	10/17/2007	EMAIL NOTIFICATION			
66	10/16/2007	MAIL FINAL REJECTION (PTOL - 326)			
65	10/11/2007	FINAL REJECTION			
64	07/30/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
63	07/19/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
62	06/18/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
61	08/03/2007	DATE FORWARDED TO EXAMINER			
60	07/30/2007	RESPONSE AFTER NON-FINAL ACTION		5	51
59	07/30/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
58	07/19/2007	REFERENCE CAPTURE ON IDS			
57	07/19/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
56	07/19/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
55	06/18/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
54	06/18/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
53	04/28/2007	ELECTRONIC REVIEW			

52	04/26/2007	EMAIL NOTIFICATION			
51	04/25/2007	MAIL NON-FINAL REJECTION			
50	04/16/2007	NON-FINAL REJECTION			
49	04/03/2007	MISCELLANEOUS INCOMING LETTER			
48	04/06/2007	DATE FORWARDED TO EXAMINER			
47	03/30/2007	SUPPLEMENTAL RESPONSE		57	40
46	02/22/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
45	03/07/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
44.7	03/07/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
44	03/07/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
43	02/22/2007	REFERENCE CAPTURE ON IDS			
42.7	02/22/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
42	02/22/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
41	02/13/2007	DATE FORWARDED TO EXAMINER			
40	02/01/2007	RESPONSE TO ELECTION / RESTRICTION FILED			
39	02/12/2007	CASE DOCKETED TO EXAMINER IN GAU			
38	01/12/2007	ELECTRONIC REVIEW			
37	01/10/2007	EMAIL NOTIFICATION			
36	01/10/2007	MAIL RESTRICTION REQUIREMENT			
35	01/04/2007	REQUIREMENT FOR RESTRICTION / ELECTION			
34	10/25/2006	DATE FORWARDED TO EXAMINER			
33	10/19/2006	RESPONSE TO ELECTION / RESTRICTION FILED		94	31
32	10/19/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
31	04/17/2006	MAIL RESTRICTION REQUIREMENT			
30	04/14/2006	REQUIREMENT FOR RESTRICTION / ELECTION			
29	01/14/2005	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
28	02/18/2006	DATE FORWARDED TO EXAMINER			
27	02/10/2006	RESPONSE TO ELECTION / RESTRICTION FILED		94	25
26	02/10/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
25	08/08/2005	MAIL RESTRICTION REQUIREMENT	184		-1
24	08/05/2005	REQUIREMENT FOR RESTRICTION / ELECTION			

23	06/02/2005	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
22	06/02/2005	CASE DOCKETED TO EXAMINER IN GAU			
21	01/14/2005	REQUEST FOR FOREIGN PRIORITY (PRIORITY PAPERS MAY BE INCLUDED)			
20	01/14/2005	REFERENCE CAPTURE ON IDS			
19.7	01/14/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
19	01/14/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
18	01/14/2005	PRELIMINARY AMENDMENT			
17	02/23/2005	APPLICATION RETURN FROM OIPE			
16	02/23/2005	APPLICATION RETURN TO OIPE			
15	02/23/2005	APPLICATION DISPATCHED FROM OIPE			
14	02/23/2005	APPLICATION IS NOW COMPLETE			
13	01/14/2005	ADDITIONAL APPLICATION FILING FEES		30	7
11	12/05/2003	CLAIM PRELIMINARY AMENDMENT			
10	01/14/2005	A SET OF SYMBOLS AND PROCEDURES, PROVIDED TO THE PTO ON A SET OF COMPUTER LISTINGS, THAT DESCRIBE IN			
9	01/14/2005	A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC			
8	01/31/2005	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE			
7	09/15/2004	NOTICE MAILED--APPLICATION INCOMPLETE-- FILING DATE ASSIGNED			
4	01/08/2004	CLEARED BY OIPE CSR			
3	01/08/2004	CASE CLASSIFIED BY OIPE			
2	01/07/2004	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	12/05/2003	INITIAL EXAM TEAM NN			

Search Another: Application#

EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

To go back, right click here and select Back. To go forward, right click here and select Forward. To refresh, right click here and select Refresh.

Back to [OASIS](#) | Home page